

REMARKS

Claims 1, 3 to 11, 13 to 21, and 23 to 28 are pending in the application, of which claims 1, 11 and 21 are independent.¹ Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 11 to 20 were rejected under §101 for allegedly failing to define statutory subject matter. As shown above, Applicant has amended claim 11 to specify that the computer program product is embodied in one or more machine-readable media. This is believed to address the §101, and withdrawal thereof is respectfully requested.

Claims 1 to 9 and 11 to 19 were rejected over U.S. Patent Publication No. 2005/0066324 (Delgado); claims 21 and 22 were rejected over U.S. Patent Publication No. 2003/0152904 (Doty); claims 10 and 20 were rejected over Delgado in view of U.S. Patent Publication No. 2005/0014121 (Eck); claims 23 to 26 were rejected over Doty in view of Eck; and claim 27 and 28 were rejected over Doty in view of Delgado. As shown above, Applicant has amended the independent claims to include, among other things, features of original claim 2. In view of these amendments, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 defines a method of providing access to a software application comprised of an application core and version-specific functionality. The method comprises determining a version of the software application, and providing a module link that corresponds to the version, where the module link is for enabling the application core to access to the version-specific functionality. The application core comprises software that is common

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

across multiple versions of the application, the version comprises one of the multiple versions, and the version-specific functionality comprises functionality that is specific to the version of the software application.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1, particularly with respect to providing a module link that corresponds to the determined version, where the determined version comprises one of multiple versions of the application.

In this regard, Delgado describes use of an installer 114, which uses a product key to identify a version of software, and which downloads, to a computer, version-specific code that corresponds to the identified version of the software. Thus, while Delgado does describe installing version-specific software code, and an installer module for effecting the installation, Delgado does not disclose or suggest that the installer module corresponds to the determined version of software code. That is, in Delgado, the installer is not specific to the version of software code being installed. Instead, it appears that the same installer module is used to install all version-specific software code. By contrast, in claim 1, the module link corresponds to the determined version of the software code, where the determined version is one of multiple versions. Thus, the module link, as claimed, is different from the installer of Delgado.

In this regard, paragraph 7 of the Office Action, for example, states that paragraph 0080 of Delgado describes encrypting the module link before providing the module link (which appears to imply that the installer – the alleged counterpart to the module link – is provided for different versions). Applicant respectfully disagrees with this characterization of Delgado. In fact, what Delgado describes encrypting is not the installer, but rather the product key, which the

installer uses to identify the version-specific software code. Paragraph 0080 makes this clear when it states that the information is encoded so that the installer can decrypt the information.

For at least the foregoing reasons, claim 1 is believed to be patentable over Delgado. Amended independent claim 11 is a computer program product claim that roughly corresponds to claim 1, and is also believed to be patentable over Delgado.

Amended independent claim 21 defines an electronic learning system comprising a first system to provide course content, a second system to provide a content player that presents the course content, and a third system to identify a version of the content player that is to present the course content, and to provide a module link for use with the content player. The module link corresponds to the version of the content player that is to present the course content. The content player comprises software that is common across multiple versions of the content player, the version comprises one of the multiple versions, and the module link is for accessing functionality that is specific to the version of the content player that is to present the course content.

Doty describes an electronic learning system that includes modules with different ("independent") versions. A user of the system is able to access these different modules. However, there is no disclosure in Doty of a module link that corresponds to the version of the content player that is to present the course content, and that is for accessing functionality that is specific to the version of the content player that is to present the course content. As explained above, Delgado is not understood to disclose or to suggest this feature as well.

For at least the foregoing reasons, claim 21 is believed to be patentable.

The remaining art is not understood to disclose or to suggest the foregoing features of claims 1, 11 and 21. Accordingly, those claims are believed to be allowable.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please charge any additional fees, not already covered by check, or credit any overpayment, to deposit account 06-1050, referencing Attorney Docket No. 13909-055001.

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Respectfully submitted,

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